

ESTTA Tracking number: **ESTTA76492**

Filing date: **04/17/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91169794
Party	Defendant Ketelhut, John Ketelhut, John 730 Woodside Lane East #9 Sacramento, CA 95825
Correspondence Address	SCOTT J. FIELDS NATIONAL IP RIGHTS CENTER, LLC 550 TOWNSHIP LINE RD STE 400 BLUE BELL, PA 19422
Submission	Answer
Filer's Name	Scott J. Fields
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Signature	/Scott J. Fields/
Date	04/17/2006
Attachments	ketelhut opposition.pdf (4 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER

SHAKOPEE MDEWAKANTON SIOUX)
COMMUNITY)

Opposer,)

v.)

JOHN KETELHUT)

Applicant.)

Opposition No. 91169794

Serial No. 76604964

Commissioner for Trademarks
PO Box 1451
Alexandria, VA 22313-1451

Dear Sir/Madam:

Applicant submits herewith the following documents for filing:

1. Answer to Notice of Opposition; and
2. Certificate of Mailing.

Respectfully submitted,


Scott J. Fields

Date: 4/17/06

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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SHAKOPEE MDEWAKANTON SIOUX)		
COMMUNITY)		
Opposer,)		
)	Opposition No. 91169794
v.)		Serial No. 76604964
)	
JOHN KETELHUT)		
Applicant.)		

ANSWER TO NOTICE OF OPPOSITION

This paper is submitted in response to the Notice of Opposition filed March 15, 2006.

1. Applicant lacks sufficient information to admit or deny the averments of Paragraph 1. The averments of paragraph 1 are denied.

2. Applicant lacks sufficient information to admit or deny the averments of Paragraph 2. The averments of paragraph 2 are denied.

3. Applicant lacks sufficient information to admit or deny the averments of Paragraph 3. The averments of paragraph 3 are denied.

4. Applicant lacks sufficient information to admit or deny the averments of Paragraph 4. The averments of paragraph 4 are denied.

5. Applicant lacks sufficient information to admit or deny the averments of Paragraph 5. The averments of paragraph 5 are denied.

6. Admitted.

7. Denied.

8. Denied.

9. Denied.

AFFIRMATIVE DEFENSE 1

There is no likelihood of confusion between the Applicant's mark and the Opposer's mark.

AFFIRMATIVE DEFENSE 2

The Opposer's mark is invalid and unenforceable.

WHEREFORE, the present Opposition should be dismissed.

NATIONAL IP RIGHTS CENTER, LLC

By: 

SCOTT J. FIELDS, ESQUIRE
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550 Township Line Road
Suite 400
Blue Bell, PA 19422
(215) 665-3214

Attorney for Applicant
John Ketelhut

Date: 4/17/06

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SHAKOPEE MDEWAKANTON SIOUX)	
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Opposer,)	
v.)	Opposition No. 91169794
)	Serial No. 76604964
JOHN KETELHUT)	
Applicant.)	

CERTIFICATE OF SERVICE

I hereby certify that on this date the foregoing Answer to Notice of
Opposition was sent via Email and United States First Class mail to:

Eunice P. de Carvalho, Esquire
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90 South Seventh Street
2200 Wells Fargo Center
Minneapolis, MN 55402-3901
trademarkmpls@faegre.com

Dated: 4/17/06



Scott J. Fields, Esq.
Attorney for Applicant
John Ketelhut